

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HANNAH BRYANT,

Plaintiff,

vs.

NATIONWIDE ANESTHESIA SERVICES,
INC.,

Defendant.

8:21-CV-335

ORDER

This matter comes before the Court on its own motion. On November 1, 2021, the Court ordered the parties to file a joint stipulation for dismissal within thirty days. [Filing 19](#). The Court noted that failure to comply with the Order would result in dismissal of the case without further notice. [Filing 19](#). On December 2, 2021, the Court granted an extension to December 16 for the parties to file the stipulated dismissal. [Filing 20](#). On December 16, at the parties' request, the Court again extended the deadline to December 30, 2021. [Filing 21](#). To date, the parties have not complied with the Court's order and have not requested an additional extension.

"A district court may sua sponte dismiss an action under [Federal Rule of Civil Procedure 41\(b\)](#) for the plaintiff's failure to comply with a court order." [Royster v. Darling](#), 195 F. App'x 537, 538 (8th Cir. 2006). Rule 41(b), in turn, provides "a dismissal under this subdivision (b) . . . operates as an adjudication on the merits." [Fed. R. Civ. P. 41\(b\)](#). Accordingly, the Court dismisses the case with prejudice as noted it would do in its previous Order absent the parties' compliance.

The Temporary Restraining Order, [Filing 7](#), previously extended by agreement of the parties, [Filing 11](#); [Filing 16](#), is hereby terminated.

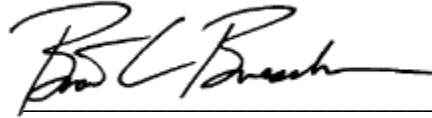
IT IS ORDERED:

1. This case is dismissed with prejudice;

2. The Temporary Restraining Order, [Filing 7](#), is terminated; and
3. A separate judgment will be entered.

Dated this 6th day of January, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "B. C. Buescher", written over a horizontal line.

Brian C. Buescher
United States District Judge